

## **REMARKS**

Claims 1 - 12, 24, 26 - 30, and 42-48 are pending. Independent claims 1, 2, and 24 are amended herein to include the limitation that the holes in the current limiting layer have an opening ratio of from about 10% to 30%. These claims are also amended to recite "a plurality of soft magnetic layers" instead of "a plurality of magnetic layers" and to clarify that the current limiting layer is disposed between respective layers. For consistency with the amendments to the independent claims, dependent claims 5-11 and 26-29 are amended to include "soft" before "magnetic layers." Claim 24 is further amended to include the limitations of claim 25, which is now cancelled. Claims 13 - 23 and 31 - 41 are also cancelled. Claims 43 - 48 are new, and are supported in the specification at least in paragraphs [0175], [0176], [0181], [0183], [0184], and [0405]. No new matter has been added.

### **Claim Objections**

In view of Applicants' cancellation of claims 19 and 20, the Examiner's objections to these claims are moot.

### **Claim Rejections under 35 USC §102**

The Examiner asserted that claims 1, 2, 7 - 16, 19 - 22, 24, 26 - 30, 34, 35, 39 and 40 are anticipated by Kamiguchi et al. (U.S. Patent 6,495,275 B2) under 35 U.S.C. §102(a), (b) and (e). Applicants respectfully disagree in view of the amendments herein to independent claims 1, 2, and 24.

The claims require that the free magnetic layer of the multilayer film comprise a plurality of soft magnetic layers which are laminated with a current limiting layer provided therebetween. As amended herein, the independent claims further require that the current limiting layer comprise an insulating portion and a conductive portion, "wherein the insulating portion of the current limiting layer comprises an insulating material film having a plurality of holes extending from a top to a bottom of the current limiting layer, the holes being filled with a conductive material film serving as the conductive portion; and wherein the holes have an opening ratio in the current limiting layer of from about 10% to 30%."

Kamiguchi does not disclose holes in a current limiting layer having an opening ratio of from about 10% to 30%. Kamiguchi is also silent about the holes being filled with a conductive material. Since Kamiguchi does not teach or suggest a current limiting layer satisfying each and every element of claims 1, 2 and 24, Kamiguchi cannot anticipate these claims or any claims depending therefrom. Applicants therefore respectfully request that the Examiner withdraw these claim rejections under 35 U.S.C. §102(a), (b) and (e).

The Examiner asserted that claims 1, 5 - 7, 9, 11, 13, 15, 16, 18, 22, 24, 25, 27, 29, 34 and 39 - 41 are anticipated by Hasegawa et al. (U.S. Patent Application No. 2002/0135956 A1) under 35 U.S.C. §102(a) and/or (e). Applicants respectfully disagree in view of the amendments to independent claims 1 and 24.

As amended herein, the claims require that the free magnetic layer comprise a plurality of soft magnetic layers which are laminated with a current limiting layer disposed therebetween. The claims further require that the current limiting layer comprise an insulating portion and a conductive portion, "wherein the insulating portion of the current limiting layer comprises an insulating material film having a plurality of holes extending from a top to a bottom of the current limiting layer, the holes being filled with a conductive material film serving as the conductive portion; and wherein the holes have an opening ratio in the current limiting layer of from about 10% to 30%."

Hasegawa does not disclose a current limiting layer disposed between a plurality of soft magnetic layers. Furthermore, Hasegawa does not disclose holes having an opening ratio of from about 10% to 30% in the current limiting layer. Since Hasegawa does not teach or suggest each and every element of independent claims 1 and 24, the reference cannot anticipate these claims or any claims depending therefrom. Applicants therefore respectfully request that the Examiner withdrawn the rejections of these claims under 35 U.S.C. §102(a) and/or (e).

### **Claim Rejections under 35 USC §103**

The Examiner asserted that claims 1, 2, 7-16, 19-22, 24, 26-30, 34, 35, 39 and 40 are unpatentable under 35 U.S.C. 103(a) over Kamiguchi et al. in view of

Sugawara (U.S. Patent No. 6,828,039), Sugawara (U.S. Patent App. No. 2004/0052008 A1), and Fujiwara et al. (U.S. Patent App. No. 2002/0054461 A1). Applicants respectfully disagree in view of the amendments herein to independent claims 1, 2 and 24.

As discussed above, Kamiguchi fails to teach or suggest each and every limitation recited in amended claims 1 and 2. The other references relied upon by the Examiner also do not disclose each and every claim limitation, either alone or in combination. Because the references cited by the Examiner do not teach or suggest each and every element of these claims, a *prima facie* case of obviousness has not been established. Applicants therefore respectfully request that the rejection of these claims under 35 U.S.C. 103 (a) be withdrawn.

The Examiner rejected claims 19 - 21 under 35 U.S.C. §103(a) as being unpatentable over Hasegawa et al. as applied above in the claim rejections pursuant to 35 U.S.C. §102.

As claims 19-21 are cancelled herein, this rejection is now moot.

The Examiner asserted that claims 3, 4, and 42 are unpatentable under 35 U.S.C. §103(a) over Kamiguchi et al. as applied above in the claim rejections pursuant to 35 U.S.C. §102, and further in view of Mack et al. (U.S. Patent No. 6,462,919 B1).

The Examiner further asserted that claims 3, 4, and 42 are unpatentable under 35 U.S.C. §103(a) over Kamiguchi et al. in view of Sugawara, Sugawara, and Fujiwara et al. as applied above in the claim rejections pursuant to 35 U.S.C. §102, and further in view of Mack et al. (U.S. Patent No. 6,462,919 B1).

The Examiner further asserted that claims 5, 6 and 25 are unpatentable under 35 U.S.C. §103(a) over Kamiguchi et al. as applied above in the claim rejections pursuant to 35 U.S.C. §102, and further in view of Kishi et al. (U.S. Patent Application No. 2002/0191451 A1).

The Examiner further asserted that claims 5, 6 and 25 are unpatentable under 35 U.S.C. §103(a) over Kamiguchi et al. in view of Sugawara, Sugawara and Fujiwara et al. as applied above in the claim rejections pursuant to 35 U.S.C. § 102, and further in view of Kishi et al. (U.S. Patent Application No. 2002/0191451 A1).

Applicants respectfully disagree with these rejections in view of the amendments herein to independent claims 1 and 2.

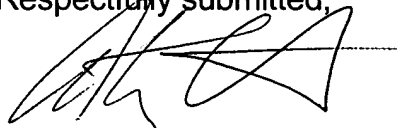
The references, either alone or in combination, do not teach or suggest each and every limitation of amended claims 1 and 2. Therefore, a *prima facie* case of obviousness has not been established. Applicants respectfully request that the rejection of these claims under 35 U.S.C. 103 (a) be withdrawn.

New claims 43-46 depend from claims 1 or 2, and therefore are patentable at least for the reasons discussed in the preceding remarks. New independent claims 47 and 48 require that the free magnetic layer comprise at least three soft magnetic layers which are laminated with a current limiting layer disposed between the respective layers. None of the references cited by the Examiner discloses a free magnetic layer having this configuration.

## Conclusion

Therefore, in view of the above amendment and remarks, Applicants respectfully submit that this application is in condition for allowance and such action is earnestly requested. If for any reason, however, the Examiner feels that a telephone interview would be helpful in resolving any remaining issues the Examiner is respectfully requested to contact Applicants' undersigned attorney.

Respectfully submitted,



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